

OCT 12 2006

**Formal Complaint to the Washington State Public Disclosure Commission
Relating to an Elected Official or Candidate for Public Office**

Name of Official or Candidate: JOSEPH A. MARTINAddress of Official or Candidate: 223 E. ~~WASHINGTON~~ 4TH ST STE 12Official's or Candidate's PORT ANGELES WA 98362
City State Zip CodeOfficial's or Candidate's Telephone: 360-417-2464
(Include Area Code)

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OCT 13 2006

Official's or Candidate's E-Mail Address: _____
(If known) Public Disclosure CommissionYour signature: WL BenedictYour printed name: WILLIAM L. BENEDICTStreet address: 63 MORGAN DRCity, state and zip code: SEQUIM WA 98382Telephone number: 360 681-7743E-Mail Address: (Optional) WL.BENEDICT@HAWLEY.NETDate Signed: 10-7-2006Place Signed (City and County): Sequim Clallam
City County**Complaint: (Attach Complaint and Certification)**16 pages total

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**Certification for a
Complaint to the Washington State Public Disclosure Commission Relating to an
Elected Official or Candidate for Public Office
(Notary Not Required)**

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the facts set forth in this attached complaint are true and correct.

Your signature: William L. Benedict

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Your printed name: WILLIAM L. BENEDICT

OCT 13 2006

Street address: 63 MORGAN DRIVE

Public Disclosure Commission

City, state and zip code: SEQUIM WA 98382

Telephone number: 360 681 7743

E-Mail Address: (Optional) WLBENEDICT@HVALLEY.NET

Date Signed: 10-7-2006

Place Signed (City and County): SEQUIM Clallam
City County

*RCW 9A.72.040 provides that: "(1) A person is guilty of false swearing if he makes a false statement, which he knows to be false, under an oath required or authorized by law. (2) False swearing is a misdemeanor."

COMPLAINT ATTACHED

16 pages including this one

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Public Disclosure Commission

Joseph A. Martin, incumbent sheriff of Clallam County, WA violated RCW 41.17.130 on 6 October 2006. He used the office and personnel of the sheriff as well as county resources including the county labor attorney (Akin Blitz) and the Human Resources Department to initiate disciplinary action against me, his challenger, in the race for Sheriff. He is in direct violation of RCW 41.06.250 by ordering me to stop making statements that are central to my campaign.

Martin claims (see the attached paperwork) that statements I have made at candidate forums sponsored by various community groups violate county and sheriff's department policies. The statements I have made essentially are that a former undersheriff was fired. The sheriff maintains he resigned in lieu of dismissal- a minor semantic point that may be debatable, but not a matter for legal sanctions and discipline. RCW 41.06.250 ensures my right to express my opinion in a debate. Martin says that that right is abridged by county policy, since I am a county employee (a Sergeant in the Clallam County Sheriff's Office). According to his letter initiating disciplinary action, I must abide by county rules that require, among other things, to get his approval to speak at a public debate, even when I am off duty and acting as a political candidate. This is absolutely contrary to RCW 41.06.250. Further he has enlisted his office and support personnel as well as a county labor attorney to assist him in charging me, writing press releases, advise him on clearly campaign driven, political matters in clear violation of RCW 42.17.130. At least 20 hours (over \$6000.00) of the county labor attorney's time have been charged to the Clallam County taxpayer.

In an incredibly bizarre display, Martin officially reprimanded me at a candidate forum on October 5th 2006, and ordered me to cease and desist from making statements that indicate the former undersheriff was fired. In an unrelated matter, this undersheriff is suing the sheriff personally, and the county for wrongful termination. I am not party to that lawsuit, however, the sheriff's actions surrounding that firing are a political topic which I have raised in my campaign to demonstrate the sheriff is not being truthful or responsible for a series of scandals of one year ago. The sheriff is responding by using his office to attempt to discipline me; even fire me for political gain.

I am being adequately represented by my union to forestall any job action. I do need the PDC to investigate this egregious attempt by the incumbent sheriff to derail my campaign by illegally using taxpayer resources.

I have attached his request for discipline, my response, a press release he generated from his office, and a copy of RCW 41.06.250.

Thank you,


William L. Benedict

Candidate for Clallam County Sheriff

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Note: the attached News Release was sent to every media outlet on the Olympic Peninsula, including:

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KONP radio station
Peninsula Daily News
Sequim Gazette
Peninsula News Network
Forks Forum

Additionally it was sent to every sheriff's department employee, county administrator, county commissioners, and made available to the public at the sheriff's office in Clallam County.

To my knowledge, a news release has never before been released announcing conduct and pending discipline for any sheriff's department employee. Nor have accusations of violations of county or sheriff policy been made public prior to an investigation. This document is campaign literature thinly disguised as a Sheriff's News Release.

W. B. Boudin